



PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

17 DEC 2004

Applicant's or agent's file reference PAGS02 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/02699	International filing date (day/month/year) 20.06.2003	Priority date (day/month/year) 20.06.2002
International Patent Classification (IPC) or both national classification and IPC B65D75/52		
Applicant KEYBROOK LIMITED et al.		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 4 sheets.</p>		
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none">I <input checked="" type="checkbox"/> Basis of the opinionII <input type="checkbox"/> PriorityIII <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicabilityIV <input type="checkbox"/> Lack of unity of inventionV <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(II) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statementVI <input type="checkbox"/> Certain documents citedVII <input type="checkbox"/> Certain defects in the international applicationVIII <input type="checkbox"/> Certain observations on the international application		
Date of submission of the demand 19.02.2004	Date of completion of this report 06.10.2004	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 apmu d Fax: +49 89 2399 - 4485	Authorized Officer Visentin, M Telephone No. +49 89 2399-2614 	

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**International application No. **PCT/GB 03/02699****1. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

2, 4-13 as originally filed
1, 3 filed with telefax on 06.09.2004

Claims, Numbers

6-12, 19, 20 as originally filed
1-5, 13-18 filed with telefax on 06.09.2004

Drawings, Sheets

1/9-9/9 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-20
	No: Claims	
Inventive step (IS)	Yes: Claims	1-20
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-20
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB 03/02699

1. There are in the present application three independent claims, namely no.1, 5 and 14.
2. The following objection is raised. Although claims 1, 5 and 14 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter, i.e. *"a dispenser formed by a combination of a holder enclosing a collapsible container"*. They appear to differ from each other only with regard to the wording used for the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness (Article 6 PCT).
3. The document DE-A-44 29 661 is regarded as being the closest prior art to the subject-matter of the independent claims. It discloses *a dispenser formed by a combination of a holder enclosing a collapsible container*, but does not disclose a holder which comprises: *a resiliently-biased part in order to return the container, once compressed, towards its uncompressed (uncollapsed) condition*. This particular feature is not disclosed in the present form in any of the available documents and is considered as involving an inventive step.
 - 3.1 Thus the present application meets the criteria of Article 33 PCT, because the subject-matter of claims 1, 5 and 14 is new and does involve an inventive step in the sense of Article 33(2) (3) PCT.
4. The embodiment of the invention described on pages 12, 13 and shown in figures 9 to 12 do not fall within the scope of claims 1, 5 or 14, because the container enclosed in the holder should not be compressed for dispensing the dispensable material, as defined in the independent claims. This inconsistency between the claims and the description leads to doubt concerning the matter for which protection is sought, thereby rendering the claims unclear (Article 6 PCT).
5. The independent claims are not appropriately drafted in the two-part form (Rule 6.3(b)(I) (ii) PCT).
The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
6. The prior art (DE-A-44 29 661) is not identified in the description (Rule 5.1(a)(ii) PCT).

INTERNATIONAL PRELIMINARY

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EXAMINATION REPORT - SEPARATE SHEET

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Dispensers

This invention relates to dispensers and is particularly, though not exclusively, concerned with hand-squeezable and other hand-actuable dispensers.

Hand-squeezable dispensers are widely used especially for dispensing viscous or semi-viscous liquids, such as shampoos and detergents, but are also used for dispensing powders or other particulates, as well as free-flowing liquids. Dispensers of this and other hand-actuable forms commonly involve a bottle or other container of blow-moulded plastics material, that is discarded when empty. Since the bottle or other container is often specially configured for aesthetic and tactile appeal, it may represent a significant proportion of the overall cost of the product, so that economic and material wastage is involved together with environmental issues in its disposal. Although in some instances, provision is made for re-filling the bottle or other container this is normally from another plastics container that is discarded after use, so that wastage and environmental issues still to some extent remain.

It is an object of the present invention to provide a form of dispenser by which economic and material wastage and problem of environmental disposal, can be reduced.

According to one aspect of the present invention there is provided a dispenser comprising a container for liquid or other material to be dispensed, the container being of a collapsible form, and a holder for at least partially enclosing the container, wherein the holder has a part which is for engagement with the container and which is resiliently biased to act via this engagement to resist collapse of the container and thereby to the extent the container is collapsed during dispensing of the liquid or other material, to return it towards its uncollapsed condition.

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may be by operation of a hand-operated or other pump mounted on the holder.

5 According to a feature of the present invention a hand-squeezable dispenser comprises a container for liquid or other material to be dispensed, the container being compressible for dispensing the liquid or other material therefrom, and a holder for at least partially enclosing a compressible or otherwise collapsible container of
10 liquid or other dispensable material, wherein the holder has a resiliently-biased part which is squeezable by hand onto the container against the resilient bias for compressing the container from its uncompressed condition, and which is for engagement with the container
15 to return the container towards its uncompressed condition under the action of the resilient bias when squeezing is relaxed.

20 In accordance with another aspect of the invention, there is provided a holder for combination with a compressible or otherwise collapsible container of liquid or other dispensable material, wherein the holder comprises a body for at least partially enclosing the container inserted therein, and the body has a part which is for engagement
25 with the container and which is resiliently biased to act via this engagement to resist collapse of the container and thereby to the extent the container collapses during dispensing of the liquid or other material, to return it towards its uncollapsed condition.

30 The resiliently-biased part of the holder may comprise a limb having a slide that is operable selectively for extension or retraction from it. The limb may be one of two limbs for straddling and engaging the container, and
35 in these circumstances the two limbs may be splayed out resiliently from one another from an interconnecting top-section of the holder, so that the holder is substantially of a U-configuration.

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Claims:

1. A dispenser comprising a container for liquid or other material to be dispensed, the container being of a collapsible form, and a holder for at least partially enclosing the container, wherein the holder has a part which is for engagement with the container and which is resiliently biased to act via this engagement to resist collapse of the container and thereby to the extent the container collapses during dispensing of the liquid or other material, to return it towards its uncollapsed condition.
2. A dispenser according to Claim 1 wherein the resiliently-biased part projects into a part of the container to engage the container as aforesaid.
3. A dispenser according to Claims 1 or Claim 2 wherein the container has an external shoulder, and the holder has one or more projections for abutment with the shoulder in retaining the container within the holder.
4. A dispenser according to any one of Claims 1 to 3 wherein a hand-operable pump is carried by the holder for drawing off liquid or other material contained by the container.
5. A hand-squeezable dispenser comprising a container for liquid or other material to be dispensed, the container being compressible for dispensing the liquid or other material therefrom, and a holder for at least partially enclosing a compressible or otherwise collapsible container of liquid or other dispensable material, wherein the holder has a resiliently-biased part which is squeezable by hand onto the container against the resilient bias for compressing the container from its uncompressed condition, and which is for engagement with the container to return the container towards its uncompressed condition under the action of the resilient bias when squeezing is relaxed.

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13. A dispenser according to Claim 12 wherein the engagement of the member with the outlet is such that the outlet is closed while the member is in its second condition.

14. A holder for combination with a compressible or otherwise collapsible container of liquid or other dispensable material in providing a dispenser of such material, wherein the holder comprises a body for at least partially enclosing the container inserted therein, and the body has a part which is for engagement with the container and which is resiliently biased to act via this engagement to resist collapse of the container and thereby to the extent the container collapses during dispensing of the liquid or other material, to return it towards its uncollapsed condition.

15. A holder according to Claim 14 wherein the resiliently-biased part comprises a limb of the holder having a slide that is operable selectively for extension or retraction from the limb.

16. A holder according to Claim 15 wherein the limb is one of two limbs for straddling and engaging the container.

17. A holder according to Claim 16 wherein the two limbs are splayed out resiliently from one another from an interconnecting top-section of the holder.

18. A holder according to Claim 17 wherein the top-section has a cap or lid that covers an aperture in the top-section, the cap or lid is selectively movable between an open condition in which it is clear of the aperture and a closed condition in which it covers the aperture, and wherein an interlock between the slide and the cap or lid precludes movement of the cap or lid into its closed condition while the slide is retracted.